

### **REMARKS**

This Application has been carefully reviewed in light of the Office Action dated August 17, 2007. In a telephone conversation with Examiner, Applicant elected to prosecute Claims 1, 3, 4, 6-9, 11, 12, 57, 59-61, and 63-72. Applicant hereby affirms such election. Claims 2, 5, 10, 13-56, 58, and 62 are withdrawn from consideration without prejudice or disclaimer. Claims 12, 59, 65, and 66 have been cancelled. Claims 1, 4, 6, 7, 57, and 61 have been amended. Applicant respectfully requests reconsideration and favorable action in this case.

### **Summary of Telephonic Interview**

Attorneys for Applicant thank the Examiner for the courtesy of his telephonic interview on November 6, 2007. During the interview, the patentability of Claim 57 was discussed. Applicant amended Claim 57 based on the information provided by the Examiner during the interview. For example, Claim 57 has been amended to recite "a non-metal protective sleeve surrounding at least a portion of the first bolt; a piece of lumber attached to the building foundation, the piece of lumber treated with one or more chemicals" and "wherein the protective sleeve retards corrosion of the first bolt by the one or more chemicals."

### **Objections to the Drawings**

The Office Action objects to the Drawings under 37 C.F.R. § 1.83(a) stating that "[t]he drawings must show every feature of the invention specified in the claims. Therefore, the plurality of tubular elements must be shown or the feature(s) canceled from the claim(s)." *See Office Action*, Page 2. Applicant has amended the Drawings and the Specification to include a FIGURE 4 that illustrates the "plurality of tubular segments" as recited in Claim 63. Replacement Sheets containing FIGURES 1-4 are attached as Exhibit A. Applicant respectfully submits that no new matter has been added. Accordingly, Applicant respectfully requests that the objections to the Drawings be withdrawn.

**Section 112 Rejections**

Claims 4 and 61 are rejected under 35 U.S.C. § 112, stating “the phrase ‘washer like’ renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by ‘or the like’), thereby rendering the scope of the claim(s) unascertainable.” *See Office Action*, Page 3. Applicant respectfully traverses these rejections. In order to advance prosecution, however, Applicant has amended Claims 4 and 61. Accordingly, Applicant respectfully requests that the rejections under 35 U.S.C. § 112 be withdrawn.

**Section 102 and 103 Rejections**

Claims 1, 3, 4, 6, and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,835,525 issued to King Jr. (“*King*”). Claims 8, 9, 11, 12, 64, and 65 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *King* in view of U.S. Patent No. 3,541,917 issued to VanDouween (“*VanDouween*”). Claims 57 and 66 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *King*. Claims 59, 60, 61, 63, 67, 68, 69, and 70-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over *King* in view of U.S. Patent No. 5,379,563 issued to Tinsley (“*Tinsley*”). Applicant respectfully traverses these rejections for the reasons stated below.

Claim 57, as amended, is allowable at least because the cited references do not teach or suggest “a non-metal protective sleeve surrounding at least a portion of the first bolt.” The metal sleeve as taught by *King* does not teach or suggest a **non-metal** protective sleeve as recited in Claim 57. Further, one of ordinary skill in the art would not be motivated modify the metal sleeve to be non-metal because *King* explicitly states that the member must be metal in order to withstand bearing loads. *See King*, Abstract; Column 1, lines 55-59; Column 2, lines 35-39. In fact, at Column 8, lines 22-24 *King* states “the metal should be as strong as stainless steel in order that the sleeve 401 not collapse during the insertion of adapter 400.” Thus, the metal sleeve as taught by *King* does not teach or suggest “a non-metal protective sleeve surrounding at least a portion of the first bolt.”

Claim 57, as amended, is allowable also at least because the cited references do not teach or suggest “a piece of lumber attached to the building foundation.” The Office Action relies on the work pieces in *King* in rejecting this limitation, but this reliance is misplaced. The Office Action concedes that *King* “does not particularly disclose the work piece (P) as

being lumber.” *See Office Action*, Page 5. Instead, on Page 6 the Office Action contends that it would have been obvious to use lumber as the work piece “since chemically treated lumber is typically used in the marine (abstract) environment,” but this is incorrect. *King* is directed to metal work pieces in aerospace and marine structures. *See King*, Column 5, lines 37-40 (“the work pieces are generally of metals”). At no point does *King* teach or suggest that the work pieces are lumber, and the contention in the Office Action that chemically treated lumber is used in the marine environment is not supported by the references. Thus, *King* does not teach or suggest “a piece of lumber attached to the building foundation.”

For at least these reasons, Claim 57 is allowable, as are all claims depending therefrom. For analogous reasons, Claim 1 is allowable as are all claims depending therefrom. For example, Claim 1 recites a “piece of lumber attached to a building foundation and treated with one or more chemicals, wherein the first means retards corrosion of the bolt by the one or more chemicals” and “wherein the first means and second means are constructed from a non-metal material.” As described above, the references do not teach or suggest these limitations. Reconsideration and favorable action are requested.

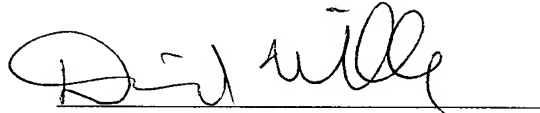
**CONCLUSION**

Applicant has made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of all pending claims.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact their attorney at the number provided below.

Applicant believes that no fee is due. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to **Deposit Account No. 02-0384 of Baker Botts L.L.P.**

Respectfully submitted,  
Baker Botts L.L.P.  
Attorneys for Applicant

A handwritten signature in black ink, appearing to read "David G. Wille", is written over a horizontal line.

David G. Wille  
Reg. No. 38,363  
(214) 953-6595

Dated: November 19, 2007

CORRESPONDENCE ADDRESS:

Customer No.

**05073**

**EXHIBIT A**